

Bankert, Sr., Jonathan W. Bankert, Jr., Gregory Bankert, Robert H. Bankert, Katherine L. Bankert, Cynthia A. Russell, and Envirochem Corporation's Joint Motion for Summary Judgment" (Document 177) which granted summary judgment to all the defendants except Auto-Owners Insurance Company ("Auto-Owners") and "Entry on Plaintiffs' Motion to Strike Portions of Defendants' Reply Brief (Document 151) or, in the alternative, Motion for Leave to File Rejoinder" (Document 176).

2. Document 177 did not dispose of Count VII, the count for declaratory judgment against Auto-Owners. In Document 177, the Court requested the parties to report as to disposition of Count VII, within fifteen (15) days.

3. The parties reported to the Court their positions as to Count VII, and the plaintiffs filed a motion to alter or amend the judgment (Document 179) and a supporting brief (Document 179-1).

4. On February 3, 2011, this court entered the following orders which disposed of all matters left in the case: (a) "Entry on Plaintiffs' Motion to Reconsider and Request to Certify Question to the Indiana Supreme Court and Plaintiffs' Request for Oral Argument on the Motion to Reconsider and Request to Certify Question of State Law to the Indiana Supreme Court" (Document 201); (b) "Order" (Document 202); and (c) "Final Judgment (Document 203).

5. The appeal is to be taken by the plaintiffs, Norman W. Bernstein and Peter M. Racher, as Trustees of the Third Site Trust Fund. The plaintiffs are appealing Document 176, Document 177, Document 201, Document 202, and Document 203. Together, these Orders granted final summary judgment to all defendants. The appeal will be taken to the 7th Circuit Court of Appeals.

6. The plaintiffs submit this notice within thirty days of February 3, 2011, in compliance with 28 U.S.C. 2107(a) and FRAP 4(a).

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 3rd day of March, 2011, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which sent notification of such filing to the following:

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